

City Hall, Lodi, Cal., June 21, 1920.

This being the time fixed for hearing protests and objections to the street improvement provided for by Resolution of Intention No. 28, the City Clerk reported that no protests had been filed and no objectors appearing before the Board, the following resolution was presented by Trustees Crose:

RESOLUTION ORDERING THE WORK.

RESOLVED, that whereas the Board of Trustees of the City of Lodi, did on the 24th day of May, A. D. 1920, pass its Resolution of Intention No. 28 to order the hereinafter described work to be done and improvement to be made in said City, which Resolution of Intention was duly and legally published as required by law, as appears from the affidavit of publication in THE LODI SENTINEL made by C. E. PERCIVAL, now on file in the office of the City Clerk of said City of Lodi; and whereas, notices of the passage of said Resolution of Intention No. 28 headed "NOTICE OF IMPROVEMENT" were duly and legally posted along the line of said contemplated work and improvement and in front of all the property liable to be assessed therefor, and on each and every street and highway in the assessment district described in said Resolution of Intention, in time, form, manner and number as required by law, after the passage of said Resolution of

361

Intention, as appears from the affidavit of H. B. COLEMAN, who personally posted the same, and who, upon the completion of the posting of said notices, filed said affidavit in the office of said City Clerk, making oath that he completed the posting of said notices on the 8th day of June A. D. 1920; and whereas, no protests or objections in writing or otherwise to the proposed work, or against the extent of the proposed district, have been delivered to, or presented to, or filed with the Clerk of this Board of Trustees of said City of Lodi, up to the hour set for hearing protests as set forth in said Resolution of Intention, and this Board of Trustees having now acquired jurisdiction to order the proposed improvement, it is hereby,-

RESOLVED, that the public interest and convenience require the work herein described and the Board of Trustees of the City of Lodi hereby order the following work to be done and improvement to be made in said City, to-wit:-

That Elm Street, in said City of Lodi, from the East line of Hutchins Street to its West terminal, said West terminal being the West line produced Southerly of Lot Numbered Twenty-five (25), in the Schroeder Addition to Lodi, as per Map of said Addition on file in the office of the County Recorder of the County of San Joaquin, BE IMPROVED:

(1) By grading the roadway and the curb and gutter spaces of said portion of Elm Street.

(2) By constructing hydraulic concrete curbs and gutters of the combined type along each side of the roadway of said portion of said Elm Street.

(3) By paving the roadway of said portion of said Elm Street, between the gutter lines, with a pavement consisting of one and one-half (1½) inches of Warrenite Wearing Surface, laid on an asphaltic concrete base two and one-half (2½) inches in thickness.

Excepting, however, from all of the hereinabove described work such portion as is required by law to be kept in order or repair by any person or company having railroad tracks thereon; and excepting also from all of the hereinabove described work, any of said work already done to the official grade.

All of said work shall be done in accordance with the plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk of said City of Lodi,

and where certain work proposed to be done on the respective streets, avenues and highways aforementioned is described as being between certain lines, it includes the doing of all such work upon the street intersections and terminations between such lines, unless otherwise shown on the plans; providing, however, that any duplication in such description shall be ignored.

Attention is also called to the Warrent License Mixture Agreement for California, executed by Warren Brothers Company, May 24th, 1920, the maker and holder of the patents and processes covering the said Warren pavement, which agreement is on file in the office of the City Clerk, and hereby expressly referred to for better certainty.

And said Board of Trustees does hereby determine and declare that said proposed work and improvement of more than local or ordinary public benefit, and will affect and benefit the lands and district hereinafter described, which said district is hereby declared to be the district benefitted by said work and improvement, and to have the exterior boundaries hereinafter described as the boundaries hereof; that therefore, the entire cost and expenses of said work and improvement shall be, and are hereby made, chargeable against, and shall be assessed upon said lands and district, which district is within the City of Lodi, County of San Joaquin, State of California, and is particularly bounded and described as follows, to-wit:

Commencing at the Northwest corner of Lot Numbered Ten (10), in Block Numbered One (1), in the West Lodi Addition, in the City of Lodi, County of San Joaquin, State of California, as said Lot and Block are delineated and so designated on that certain Map entitled "Map of West Lodi Addition," on file in the Office of the County Recorder of said County of San Joaquin, running thence Southerly along the West

line of said Lot Numbered Ten (10), produced across Elm Street to the Northwest corner of Lot Numbered Seventeen (17), in Block Numbered Two (2) of said Addition; thence continuing southerly along the West line of said Lot Numbered Seventeen (17) to its intersection with the North line of the alley running East and West through said Block Numbered Two (2); thence Westerly along said alley line produced across Hutchins Street across Block Numbered Three (3) of the Cordier Tract, (as per Map of said Cordier Tract, on file in the Office of the County Recorder of the County of San Joaquin), and across Cordier Street to the Southeast corner of Lot Numbered Forty-three (43) of the Schroeder Addition, as per Map of said Addition on file in the office of the County Recorder of San Joaquin County; thence continuing Westerly along the North line of the alley running through said Schroeder Addition South of and parallel to the South line of Elm Street, along its

production across Rose Street to its intersection with the West line of Lot Numbered Thirty-five (35) of said Schroeder Addition; thence North and along the West line of said Lot Numbered Thirty-five (35), produced across Elm Street to the Southwest corner of Lot Numbered Twenty-five (25) of said Addition, such line being also the terminal of Elm Street on the West; thence North along the West line of Lot Numbered Twenty-five (25) to its intersection with the South line of the alley running East and

West 170 feet North of and parallel to the North line of Elm Street; thence Easterly along said South line of the alley produced across Rose and Cordier Streets to the Northwest corner of Lot Numbered Twelve (12) in Block Numbered Two (2) in said Cordier Tract; thence continuing Easterly along the North line of Lot Numbered Twelve (12) produced Easterly across said Block and across Hutchins Street to the Northwest corner of Lot Numbered Thirteen (13), in Block Numbered One (1) in said West Lodi Addition; thence continuing Easterly along the South line of the alley running through said Block to the point of beginning.

Provided, nevertheless, that the streets, avenues and alleys situate within said district shall be omitted from any assessment made or levied for paying the costs and expenses of the above mentioned work and improvement, the said streets, avenues and alleys belonging to said city, and being in use for the performance of a public function, to-wit, in use as public streets, avenues and alleys.

And it is further ordered and notice is hereby given that serial bonds to represent unpaid assessments and bear interest at the rate of seven per cent (7%) per annum, will be issued hereunder in the manner provided by the Improvement Bond Act of 1915, and Acts Amendatory thereto, the last installment of which bonds shall mature nine years from the 2nd day of July, next succeeding nine months from their date.

The City Clerk is hereby directed to post a notice of said work, together with the plans and specifications therefor, conspicuously for five days on or near the council chamber door, inviting sealed proposals or bids for doing the work ordered. He is also directed to publish three times a notice inviting such proposals, and referring to the specifications posted or on file, in THE LODI SENTINEL, a tri-weekly newspaper published and circulated in said City of Lodi, and hereby designated for that purpose, said paper being the official newspaper of the said City of Lodi.

The foregoing resolution was adopted by the following vote:

Ayes: Trustees Crose, Hickok, Rich, Hale and Montgomery.
Noes: None.
Absent: None.

No further business appearing the Board adjourned.

Attest:

W. J. Roberts
City Clerk